

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert E. Richard et al.

Art Unit: 1614

Serial No.: 10/632,054

Examiner: Alicia R. Hughes

Filed: July 31, 2003

Confirmation No.: 9964

Docket No.: 02-465

Title: IMPLANTABLE OR INSERTABLE MEDICAL DEVICES CONTAINING  
RADIATION-TREATED POLYMER FOR IMPROVED DELIVERY OF  
THERAPEUTIC AGENT

Via EFS Web  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate of Electronic Transmission  
Under 37 C.F.R. §1.8

I hereby certify that this correspondence and any document referenced  
herein are being electronically filed with the USPTO via EFS-Web on  
January 30, 2009.

Nancy Joyce Simmons  
(Printed Name of Person Sending Correspondence)

/nancy joyce simmons/  
(Signature)

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Sir:

This response is submitted in reply to the Non-Final Office Action mailed October 30, 2008, having a time for response of January 30, 2009. This Amendment and Response is timely filed. While no fees are believed to be due as a result of this Amendment and Response, if any fees are due authorization is hereby given to charge Deposit Account 50-1047. Please enter the following amendment and remarks:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2.

**Remarks/Arguments** begin on page 7.